

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AHMET ACIK, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

I.C. SYSTEM, INC.

Defendant.

**PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Civil Action No. 07-cv-881

Judge Gottschall

Magistrate Judge Keys

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56, Plaintiff Ahmet Acik, on behalf of himself and the class he represents, respectfully moves this Court to enter Partial Summary Judgment in his favor against Defendant I.C. System, Inc. on the issues of liability that Exhibit A¹ (attached to the Class Action Complaint) violates the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, in that it:

- i) uses any false, deceptive, or misleading representation or means in connection with the collection of any debt in violation of 15 U.S.C. §§ 1692e and e(10);
- ii) falsely represents the character, amount, or legal status of any debt in violation of 15 U.S.C. § 1692e(2)(A);
- iii) uses any unfair or unconscionable means to collect or attempt to collect any debt in violation of 15 U.S.C. § 1692f;
- iv) attempts to collect any amount (including any interest, fee, charge, or expense incidental to the principal obligation) not expressly authorized by the agreement creating the debt nor permitted by law in violation of 15 U.S.C. § 1692f(1); and

¹ This document is also attached to Plaintiff's Local Rule 56.1(a)(1) Compendium of Documents as Appendix 5.

- v) falsely states the amount of the debt in the initial communication in violation of 15 U.S.C. § 1692g(a)(1).

Mr. Acik further requests that declaratory judgment for liability be entered in his favor and against Defendant. Plaintiff reserves the computation of statutory and actual damages until a later determination.

Respectfully submitted,

Dated: October 6, 2008

s/ Craig M. Shapiro
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AND THE CERTIFIED CLASS